

REMARKS

In response to the Office Action dated January 31, 2008, claims 1, 7 and 9-11 have been amended. Claims 1-15 are in the case. The Applicants respectfully request further examination and reconsideration in view of the above amendments.

The Office Action rejected claims 9-11 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

In response, the Applicants have amended claims 9-11 as suggested by the Examiner to overcome this rejection.

The Office Action rejected claims 1-3 and 6 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cantwell (U.S. Patent Publication No. 2002/147795) in view of Minolta (JP2001117835 A, Derwent Abstract, PAJ Translation also provided). The Office Action rejected claim 4 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cantwell in view of Minolta and further in view of Anderson et al. (U.S. Patent No. 7,222,357). The Office Action rejected claim 5 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cantwell in view of Minolta and further in view of Koss (U.S. Patent Publication No. 2002/0112037). The Office Action rejected claims 7-13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cantwell in view of Minolta and further in view of Shaefer (U.S. Patent Publication No. 2001/0053977). The Office Action rejected claim 14 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cantwell, Minolta and Shaefer as applied to claim 7 and further in view of Anderson et al. The Office Action rejected claim 15 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cantwell, Minolta and Shaefer as applied to claim 7 and further in view of Koss.

The Applicants respectfully traverse these rejections based on the amendments to the claims and the arguments below.

Specifically, the Applicants newly amended independent claims now include encoding computer specific operating system information, printer-specific information including specific model variant, and other model-specific information in the URL and communicating from the firmware to a server associated with the URL for specifically

tailoring the driver software to be downloaded and periodically accessing the URL with the firmware to check for critical updates. Support for these newly added features can be found in the Applicants' specification in paragraphs [0016] and [0025] of U.S. Patent Application Publication No. 2005/0160157.

In contrast, the combined cited references simply disclose a system and method for installing a device driver for a device using a browser that browses to a website where a driver resides (see Abstract of Cantwell), system and methods using URLs in device drivers (see Abstract of Minolta) and a customer service center for responding to email and self help requests (see Abstract of Shaefer).

Although the Examiner argued that the combined references disclose using network headers to determine information regarding a personal computer ***to eliminate mistakes in identifying characteristics of the user's computer*** [emphasis added] (see page 8 of the October 31, 2007 Office Action), this is much different from the Applicants' newly amended claims. Namely, instead, the amended independent claims encode computer specific operating system information, printer-specific information including specific model variant, and other model-specific information in the URL for specifically tailoring the driver software to be downloaded and periodically accessing the URL with the firmware to check for critical updates. This is unlike the combined cited references which, according to the Examiner, use network headers to determine information regarding a personal computer to ***eliminate mistakes in identifying characteristics of the user's computer***.

Therefore, since the combined references are missing features of the Applicants' claimed invention, the combined references cannot render the Applicants' invention obvious. This failure of the cited reference to disclose, suggest or provide motivation for the Applicants' claimed invention indicates a lack of a prima facie case of obviousness and, thus, the obviousness rejection should be withdrawn (MPEP 2143).

Last, with regard to the dependent claims, since they depend from the above-argued respective independent claims, they are therefore patentable on the same basis. (MPEP § 2143.03).

Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to

withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicant kindly requests the Examiner to telephone the Applicant's attorney at (818) 885-1575. Please note that all mail correspondence should continue to be directed to Hewlett Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

Respectfully submitted,
Dated: January 31, 2008



Edmond A. DeFrank
Reg. No. 37,814
Attorney for Applicant
(818) 885-1575 TEL
(818) 885-5750 FAX